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Resolution adopted by the General Assembly on 18 December 2013

[*on the report of the Third Committee (A/68/456/Add.3)*]

68/184. Situation of human rights in the Islamic Republic of Iran

The General Assembly,

Guided by the Charter of the United Nations, as well as the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other international human rights instruments,

Recalling its previous resolutions on the situation of human rights in the Islamic Republic of Iran, the most recent of which is resolution 67/182 of 20 December 2012,

1. *Takes note* of the report of the Secretary-General submitted in September 2013 pursuant to resolution 67/182,[3] in which he notes that he remains deeply troubled by ongoing human rights violations in the Islamic Republic of Iran, and the report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran[4] submitted in October 2013 pursuant to Human Rights Council resolution 22/23 of 15 April 2013,[5] in which the Special Rapporteur continues to catalogue a wide range of systemic and systematic human rights violations;

2. *Welcomes* pledges made by the new President of the Islamic Republic of Iran with regard to some important human rights issues, particularly on eliminating discrimination against women and members of ethnic minorities and promoting freedom of expression and opinion, as well as the proposal of the President to implement a civil rights charter, and encourages the Islamic Republic of Iran to take concrete action to ensure that these pledges can result in demonstrable improvements as soon as possible and to uphold the Government's obligations under its national laws and under international human rights law;

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] A/68/377.

[4] A/68/503.

[5] See *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 53* (A/68/53), chap. IV, sect. A.

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3. *Also welcomes* the peaceful conduct during voting in the June 2013 presidential elections and the broad participation of the Iranian people, while expressing concern over the restrictions placed on candidates, including the exclusion of all women candidates, and the further erosion of democratic space for political activities prior to the elections;

4. *Further welcomes* the recent release of a number of prisoners of conscience and political prisoners, and continues to call upon the Government of the Islamic Republic of Iran to immediately and unconditionally release all those who have been arbitrarily arrested and detained for exercising their rights to freedom of religion or belief, freedom of expression and peaceful assembly or for participating in peaceful protests about political, economic, environmental or other issues;

5. *Expresses deep concern* at serious ongoing and recurring human rights violations in the Islamic Republic of Iran relating to, inter alia:

(*a*) Torture and cruel, inhuman or degrading treatment or punishment, including flogging and amputations;

(*b*) The continuing alarming high frequency of the carrying-out of the death penalty in the absence of internationally recognized safeguards, including public executions, notwithstanding the issuance of a circular by the former head of the judiciary prohibiting public executions, and secret group executions, as well as reports of executions undertaken without the notification of the prisoner's family members or legal counsel;

(*c*) The continuing imposition and carrying-out of the death penalty against minors and persons who at the time of their offence were under the age of 18, in violation of the obligations of the Islamic Republic of Iran under the Convention on the Rights of the Child[6] and the International Covenant on Civil and Political Rights;[2]

(*d*) The imposition of the death penalty for crimes that lack a precise and explicit definition, including *moharebeh* (enmity against God), and for crimes that do not qualify as the most serious crimes, in violation of international law;

(*e*) Widespread and serious restrictions on the right to peaceful assembly, freedom of association and freedom of opinion and expression, including through efforts to block, filter or hinder Internet access and content, jam international satellite transmissions into the Islamic Republic of Iran and censor or close newspapers, magazines and other publications, including in the lead-up to the June 2013 presidential election;

(*f*) The systematic targeting and harassment of human rights defenders, who face arrest, arbitrary detention, long-term exile and harsh sentences, including the death sentence;

(*g*) Pervasive gender inequality and violence against women and increased discrimination against women and girls in law and in practice, as well as restrictions on access to government decision-making positions and the labour market;

(*h*) Continued discrimination and other human rights violations, at times amounting to persecution, against persons belonging to ethnic, linguistic or other minorities, including Arabs, Azeris, Balochis and Kurds and their defenders, noting

[6] United Nations, *Treaty Series*, vol. 1577, No. 27531.

in particular reports of the violent suppression and detention of ethnic Arabs and Azeris, including serious concerns about violations of their due process rights and alleged torture while imprisoned;

(*i*) Ongoing severe limitations and restrictions on the right to freedom of thought, conscience, religion or belief and restrictions on the building of, as well as attacks against, places of worship and burial;

(*j*) Continued harassment, at times amounting to persecution, and human rights violations against persons belonging to recognized religious minorities, including Christians, Jews, Sufi Muslims, Sunni Muslims and Zoroastrians and their defenders, noting in particular the widespread arrest and detention of Sufi Muslims and evangelical Christians, including the continued detention of Christian pastors;

(*k*) Continued persecution and human rights violations against persons belonging to unrecognized religious minorities, particularly members of the Baha'i faith and their defenders, including targeted attacks and murders, without proper investigation to hold those responsible accountable, arbitrary arrests and detention, the restriction of access to higher education on the basis of religion, the continued imprisonment of the leadership of the Iranian Baha'i community, the closure of Baha'i-owned businesses and the de facto criminalization of membership in the Baha'i faith;

(*l*) Continued and sustained house arrest of leading opposition figures from the 2009 presidential elections and growing concerns about their health, as well as ongoing restrictions on their supporters and family members, including through harassment, intimidation and reprisals;

(*m*) Persistent failure to uphold due process of law, and violations of the rights of detainees, including the widespread and systematic use of arbitrary detention and enforced disappearance, the lack of access of detainees to legal representation of their choice, the refusal to consider granting bail to detainees, the poor conditions of prisons and the denial of access to adequate medical treatment, as well as reports of detainees dying in custody, being subjected to torture, rape and other forms of sexual violence, harsh interrogation techniques and the use of pressure exerted upon their relatives and dependants, including through arrest, to obtain false confessions that are then used at trials;

(*n*) Continuing arbitrary or unlawful interference by State authorities with the privacy of individuals, in particular in relation to private homes, and with their correspondence, including telephone and e-mail communications, in violation of international law;

6. *Calls upon* the Government of the Islamic Republic of Iran to address the substantive concerns highlighted in the reports of the Secretary-General and the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, as well as the specific calls to action found in previous resolutions of the General Assembly, and to respect fully its human rights obligations, in law and in practice, in particular:

(*a*) To eliminate, in law and in practice, amputations, flogging, blinding and other forms of torture and other cruel, inhuman or degrading treatment or punishment;

(*b*) To abolish, in law and in practice, public executions and other executions carried out in the absence of respect for internationally recognized safeguards, including by stoning and suspension strangulation;

(*c*) To further revisit the revised Islamic Penal Code to make it consistent with its obligation, under article 37 of the Convention on the Rights of the Child and article 6 of the International Covenant on Civil and Political Rights, to abolish executions of minors and persons who at the time of their offence were under the age of 18;

(*d*) To eliminate, in law and in practice, all forms of discrimination and other human rights violations against women and girls, to promote women's participation in decision-making positions and, while recognizing the high enrolment of women in all levels of education, to lift all restrictions on women's equal access to all aspects of university education;

(*e*) To eliminate, in law and in practice, all forms of discrimination and other human rights violations against persons belonging to religious, ethnic, linguistic or other minorities, recognized or otherwise;

(*f*) To eliminate discrimination against, and exclusion of, members of certain groups, including members of the Baloch community and members of the Baha'i faith, regarding access to higher education, to eliminate the criminalization of efforts to provide higher education to Baha'i youth denied access to Iranian universities and to release those imprisoned for this reason;

(*g*) To implement, inter alia, the 1996 report of the Special Rapporteur on religious intolerance,[7] in which he recommended ways in which the Islamic Republic of Iran could emancipate the Baha'i community, to release the seven Baha'i leaders held since 2008 and to accord all Baha'is, including those imprisoned because of their beliefs, the due process of law and the rights that they are constitutionally guaranteed;

(*h*) To launch a comprehensive accountability process in response to cases of serious human rights violations, including those involving the Iranian judiciary and security agencies, and to end impunity for such violations;

(*i*) To fulfil pledges by the new President for greater space for freedom of expression and opinion by ending the harassment, intimidation and persecution of political opponents, human rights defenders, women's rights activists, labour leaders, students, academics, film-makers, journalists and their families, other media representatives, bloggers, netizens, clerics, artists and lawyers, including by releasing persons detained arbitrarily or on the basis of their political views, and in this regard welcoming the reopening of the House of Cinema;

(*j*) To end restrictions on the press and media representatives, Internet users and Internet providers, including the selective jamming of satellite broadcasts, that violate the rights to freedom of expression and association;

(*k*) To uphold, in law and in practice, procedural guarantees to ensure due process of law;

7. *Also calls upon* the Government of the Islamic Republic of Iran to strengthen its national human rights institutions in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles),[8] as it committed itself to doing in the framework of its universal periodic review by the Human Rights Council;[9]

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[7] E/CN.4/1996/95/Add.2.

[8] Resolution 48/134, annex.

[9] See A/HRC/14/12 and Add.1 and Corr.1.

8. *Notes* the recent engagement by the Islamic Republic of Iran with the Committee on Economic, Social and Cultural Rights, recalls its previous engagement with the Human Rights Committee,[10] and calls upon the Government of the Islamic Republic of Iran to consider acting upon the concluding observations adopted by those committees;

9. *Calls upon* the Government of the Islamic Republic of Iran to effectively implement its obligations under those human rights treaties to which it is already a party, to withdraw any reservations that it may have made upon signature or ratification of other international human rights instruments where such reservations are overly general, imprecise or could be considered incompatible with the object and purpose of the treaty, to consider acting upon the concluding observations concerning the Islamic Republic of Iran adopted by the bodies of the international human rights treaties to which it is a party and to consider ratifying or acceding to the international human rights treaties to which it is not already a party;

10. *Strongly encourages* the Government of the Islamic Republic of Iran to implement all of the recommendations that it accepted in the framework of its universal periodic review by the Human Rights Council, with the full and genuine participation of civil society and other stakeholders in the implementation process;

11. *Expresses deep concern* that, despite the standing invitation issued by the Islamic Republic of Iran to all thematic special procedures mandate holders, it has not fulfilled any requests from those special mechanisms to visit the country in eight years and has left unanswered the vast majority of the numerous and repeated communications from those special mechanisms, and strongly urges the Government of the Islamic Republic of Iran to fully cooperate with the special mechanisms, including facilitating their visits to its territory, so that credible and independent investigations of all allegations of human rights violations can be conducted;

12. *Expresses serious concern* about allegations of reprisals against individuals for their cooperation or contact with United Nations human rights mechanisms or representatives;

13. *Strongly encourages* the thematic special procedures mandate holders to pay particular attention to, with a view to investigating and reporting on, the human rights situation in the Islamic Republic of Iran, in particular the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the rights to freedom of peaceful assembly and of association, the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on freedom of religion or belief, the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on violence against women, its causes and consequences, the Special Rapporteur on the right to education, the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, the Independent Expert on minority issues, the Working Group on Arbitrary Detention, the Working Group on Enforced or Involuntary Disappearances and the Working Group on the issue of discrimination against women in law and in practice;

[10] *Official Records of the General Assembly, Sixty-seventh Session, Supplement No. 40* (A/67/40), vol. I, para. 107.

14. *Welcomes* the recent engagement, through country visits, of the heads of United Nations agencies, and urges the Government of the Islamic Republic of Iran to deepen its engagement with United Nations human rights mechanisms;

15. *Encourages* the Government of the Islamic Republic of Iran to continue exploring cooperation on human rights and justice reform with the United Nations, including the Office of the United Nations High Commissioner for Human Rights;

16. *Continues to call upon* the Government of the Islamic Republic of Iran to cooperate fully with the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran and other international human rights mechanisms, including by responding positively to the request made by the Special Rapporteur in July 2013 to visit the country to carry out his mandate;

17. *Requests* the Secretary-General to report to the General Assembly at its sixty-ninth session on the progress made in the implementation of the present resolution, including options and recommendations to improve its implementation, and to submit an interim report to the Human Rights Council at its twenty-fifth session;

18. *Decides* to continue its examination of the situation of human rights in the Islamic Republic of Iran at its sixty-ninth session under the item entitled "Promotion and protection of human rights".

70th plenary meeting
18 December 2013